

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

EOD
09/22/2020

IN RE:	§	
	§	
TEXAS PELLETS, INC.	§	Case No. 16-90126
	§	
	§	
Debtor	§	Chapter 11

ALLISON BYMAN, Trustee of the	§	
Liquidating Trust of Texas Pellets, Inc.	§	
and German Pellets Texas, LLC	§	
	§	
Plaintiff	§	
	§	
v.	§	Adversary No. 20-9001
	§	
PORT OF PORT ARTHUR	§	
NAVIGATION DISTRICT OF	§	
JEFFERSON COUNTY, TEXAS	§	
	§	
Defendant	§	

**NOTICE AND ORDER REGARDING FINAL
PRE-TRIAL PROCEDURES IN ADVERSARY PROCEEDING**

TO: ALL ATTORNEYS OF RECORD:

Pursuant to Fed. R. Bankr. P. 7016(a), in order to develop a proposed plan for the scheduling of the trial of the complaint in this adversary proceeding and related pre-trial deadlines:

IT IS HEREBY ORDERED that each party to this adversary proceeding shall file a written statement with the Court¹ **on or before Tuesday, October 6, 2020**, that contains the following information:

¹ This statement should be filed as a "Response Regarding Final Pre-Trial Procedures" --- a docket event available as a "miscellaneous" event under the "Adversary" tab of the CM-ECF system.

- (1) accurate telephonic contact information for all counsel
- (2) an updated, precise estimate of the time which needs to be reserved for trial of this action;
- (3) the identification of any weeks from November 2020 through March 2021,² during which the parties or their counsel shall be **unavailable** for trial due to existing trial settings or other unavoidable circumstances; and
- (4) whether the party elects, in light of the Covid-19 pandemic and in lieu of a personal appearance in a courtroom in such circumstances, that the trial be conducted by virtual means rather than by personal appearance.³ Each party must affirmatively agree to the trial by virtual means. Otherwise, the trial will be conducted per usual procedures by personal appearance **in this Court's Tyler courtroom** subject to certain Covid-19 safety protocols.⁴

IT IS FURTHER ORDERED that the Court shall review the information submitted by the parties and thereafter issue a final scheduling order in light of the Court's schedule and the circumstances of this case.

Signed on 09/22/2020



THE HONORABLE BILL PARKER
CHIEF UNITED STATES BANKRUPTCY JUDGE

cc: All attorneys of record

² The Court believes that the parties should also be aware of the complications which could arise from the selection process for a successor-judge for this Court and the recusal possibilities that arise thereunder.

³ Any such appearance would be pursuant to the directives regarding the conduct of virtual hearings located on the Court's website, www.txeb.uscourts.gov/content/judge-parker under the *Virtual Hearings* tab.

⁴ Any scheduled personal appearance in any courtroom at this juncture is obviously subject to subsequent alteration by the Court due to the evolving circumstances of the COVID-19 pandemic .